

Fremont Conservation Commission
11-17-08 Minutes



Fremont Conservation Commission
Minutes of November 17, 2008
Approved December 1, 2008

Present: Chairman John (Jack) Karcz, Members Janice O'Brien, Tina Sturdivant and Pat deBeer and Recording Secretary Meredith Bolduc.

Chrm. Karcz opened the meeting at 7:40 pm.

MINUTES

Mbr. deBeer made the motion to accept the minutes of the October 20, 2008 meeting with the correction of a typo. The motion was seconded by Mbr. Sturdivant with unanimous favorable vote.

Mbr. deBeer made the motion to accept the minutes of the November 3, 2008 meeting as written. The motion was seconded by Mbr. Sturdivant with unanimous favorable vote except for Mbr. O'Brien who abstained as she was not present at that meeting.

ENVIRONMENTAL COMMUNITY GRANT PROGRAM
PSNH AND NORTHEAST UTILITIES SYSTEM

Chrm. Karcz stated that on October 9, 2008 the Commission submitted an application to the Northeast Utilities System for their Environmental Community Grant. The application was for \$850 for funding for signs and posts to mark the Forest Trails in the Glen Oakes Town Forest. David Weinberg of Northeast Utilities has advised Mrs. Bolduc via telephone that the grant has been awarded and that Kathleen Lewis of PSNH will be contacting the Commission to set up a time to present the check.

PRIME WETLAND

Chrm. Karcz reported that the Commission received a copy of the November 11, 2008 correspondence and Prime Wetland Map that Mark West has submitted to NH DES for their acceptance of the Prime Wetlands as approved by the March 2008 Town Meeting vote. There was a brief conversation relative to the process of acceptance.

BUDGET

The Commission received and reviewed the General Ledger expenditure report for the date ending November 13, 2008. The Commission also received a November 13, 2008 correspondence from Town Administrator Heidi Carlson advising; 1) that all department end of year bills should be submitted by December 20, 2008; 2) that the Budget Committee has not yet made their recommendations; and 3) the Public Budget Committee hearing date is set for January 13, 2009.

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TREASURERS REPORT

Chrm. Karcz reported that the Commission received the CC account balance report as of October 31, 2008 as submitted by Town Treasurer Kimberly Dunbar. Interest earned was reflected in all accounts.

TOWN FOREST

Chrm. Karcz reported on that Derek Wilson met with the Selectmen at their November 6, 2008 meeting relative to trapping in the Town Forest. According to the minutes of that meeting "The Board expressed concern about the fact that putting traps out potentially creates a hazard, and the Board wanted to follow the recommendation of the Conservation Commission, they have a wildlife study underway". They were "not inclined to give permission unless a particular animal becomes a nuisance issue" and directed that the Conservation Commission should be consulted relative to the wildlife study and any recommendation on best management practices.

Section III-C of the Town Forest Ordinance says;

The following activities require written approval by the Board of Selectmen at a posted regular meeting and the approval must be recorded in the minutes of that meeting. The decision by the Board of Selectmen must be made after consideration of the recommendation of the Conservation Commission.

- 1. Trapping. No trapping activities shall occur in any Town Forest, unless a "Permit to Trap" has been signed and issued by the Board of Selectmen or their designee. Any trapping activities shall be done only in strict accordance with the laws of the State of New Hampshire.*

Mrs. Bolduc said that Mr. Wilson is scheduled to meet with the Commission on December 1, 2008. It was noted that Charlie Moreno is scheduled to meet with the Commission on January 5, 2009 and there may be some additional information relative to a wildlife study included in his management plan update. It was agreed that it makes more sense to ask Mr. Wilson to come in after Mr. Moreno's meeting. Mr. Wilson will be so notified.

GLEN OAKES

The Commission received an October 30, 2008 invoice from T. D. Brouillette Land Surveying in the amount of \$1,500.00 for the completion of setting 20 bounds in the Glen Oakes Conservation land at \$75.00 per bound. This was accompanied by a plan that showed the location of each bound. Chrm. Karcz asked if the plan was going to be recorded and Mbr. O'Brien found that it is already recorded.

Following a discussion of the invoice and reviewed of the plan Mbr. O'Brien made the motion that the invoice be paid from the Current Use Fund. Motion seconded by Mbr. deBeer with unanimous favorable vote.

NH RSA 36-A: 4-a

Mr. Karcz reported that the change in the provision of RSA 36-A which authorizes Town Conservation Commissions to make contributions from their conservation funds to "qualified organizations" for acquisition of property interests (fee or easement) held by the organizations, and/or transaction costs

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related to these purchases has been reviewed by the Planning Board, Selectmen and Town Counsel and will be on the 2009 Warrant for the Voters.

ERLAC

Signs

Mbr. Sturdivant said that the protected river sign at the rail trail has been installed.

LAGASSE, MARK

Map 2 Lot 141

Chrm. Karcz reported that Mark Lagasse, owner of the property at Map 2 Lot 141 (located by the power lines on Rt 107), his Attorney Theodore Xenakis and Michael Seekamp, CWS of Seekamp Environmental met with the Planning Board on November 5, 2008 relative to the status of the property. It was determined that the property has a history of a prior gravel operation where the previous owner did not complete the required excavation reclamation, there are 2 areas of wetlands, and it was generally agreed that the low area was created from over-excavation. Chrm. Karcz said that Mr. Lagasse wants to work something out between NHDES and the Conservation Commission relative to the use of the property and wetland mitigation. Chrm. Karcz pointed out that there is a prime wetland on the property.

Chrm. Karcz said that the Planning Board directed Mr. Lagasse to the Conservation Commission and Mr. Seekamp said that they would modify their site plan, take it to the Conservation Commission and then to NH DES for direction. The owner has not yet contacted the Land Use Office for an appointment.

Chrm. Karcz said that it was indicated at the Planning Board meeting that the property use intent seems to be some sort of storage of demolition materials, but the owner was very ambiguous. There was talk about a building and equipment, a 500 gallon above-ground off-road tank, bringing in boulders to crush and haul off the site.

There was a conversation among the Commission Members relative to intent of use for the property. There was also a conversation relative to the fact that it is located near Red Brook, is at least in part in the Watershed Protection District, and in both the Aquifer Protection District and the Flood Zone.

CONSERVATION BOND

Chrm. Karcz said that he spoke with Phil Auger of the UNH Co-operative Extension who says that he does not think there is a time limit on the Conservation Bond. Chrm. Karcz said that he thinks Heidi is still looking into the matter.

ANDERSON, HJALMER AND CHRISTINE; CC EASEMENT

Map 6 Lot 060

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Chrm. Karcz reported that he recently attended the site visit that was hosted by RCCD for the Anderson property Conservation Easement. Chrm. Karcz related that the owner has not received a copy of the Easement. Mrs. Bolduc said that she spoke with Mary Currier at RCCD who said that they

were not completely finished so no one has a copy of the Easement. There was some discussion relative to whether the Easement has been recorded and Mbr. O'Brien found that it has been recorded.

Mbr. deBeer motioned to authorize spending up to \$50.00 from the "Document Purchases" line of the current budget to obtain a copy of the recorded Easement from the Registry of Deeds.

Mbr. Sturdivant seconded the motion with unanimous favorable vote.

NEW HAMPSHIRE WATERSHED CONFERENCE

Mbr. deBeer presented some of the highlights of the 2008 New Hampshire Watershed Conference she attended at the Grappone Conference Center in Concord on November 15. The conference was sponsored by DES, the New Hampshire Lakes Association, and the New Hampshire Rivers Council.

1. Conference Speaker at the Primary Session – the Conference Speaker was Jon Greenberg, the Executive Editor of New Hampshire Public Radio. His presentation was based on a series he did this past summer on NH Public Radio about the Merrimack River. Listed below are the topics of the series. You can listen to each session of the series or read a transcript at:

<http://www.nhpr.org/node/16759>.

Stories

7/22: [Winning the Right to Pollute](#): 19th century legal battles over the Merrimack River helped define the modern corporation.

7/23: [Building on the Success of the Clean Water Act](#): What the CWA did to make the river cleaner and what some people are doing to make it cleaner still.

7/24: [Facing the Future of the Merrimack](#): We're entering a new era where the river will have greater impact on the patterns of growth.

River Minutes

7/21: [A Brief History of Fishladders](#): Most people think fish ladders are a relatively modern invention. They aren't.

7/22: [Thoreau and the Merrimack - Who Will Speak for the Fishes](#): Thoreau's "A Week on the Concord and the Merrimack" described the problems of the dams that powered the mills.

7/23: [Controlling Runoff - Saving Cash](#): When it comes to protecting the river from runoff, the right thing to do might also be the cheapest.

7/24: [When The Merrimack Changed Its Course](#): How two ice ages got the river to meander east.

7/25: [Using the River Bed as a Natural Filter](#): An old idea finds a new use to provide clean drinking water from the Merrimack.

Mr. Greenberg described how the history of the river is also the history of the modern corporation and the legal battles fought by the owners of the corporations. The owners of the mills quietly bought the dams on every lake that feeds the Merrimack River. The farmers and others protested with riots because the dams caused the river to flood and ruined the farmers' hay crops. The

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owners of the mills went to court over 13 times over their dams and the use of the river. In the end, the courts ruled that the mill owners were more important than the others because the success of

their corporations depended on a year round large water supply. They won the right to use the river to generate power, to build canals for transportation and to use the river to dispose of their waste.

We have spent many years working hard to undo the damage caused by the decisions of the courts in the 1800s. The scientists know the perils of those decisions and we must all reach out to all NH citizens and educate them so they will understand that protecting natural resources and promoting the economy are one in the same.

2. DES New Hampshire Water Resources Plan

One of the sessions of interest Mbr. deBeer attended was in regard to the DES Water Resources Plan. Three parts of this plan were discussed:

- The development of a “New Hampshire Water Resources Primer” to help legislators, municipal board members and the public understand the key issues regarding the protection of Water Resources in New Hampshire. A copy of the table of contents is attached. DES will be holding meetings throughout the state in the near future to introduce and discuss the primer. Action needs to be taken to protect New Hampshire water resources and lack of funding is of significant concern.
- Data that has been developed recently by NH DES, NH Geological Survey regarding the identification of stressed sub-watersheds. According to the map presented, one of the stressed watersheds appeared to be in the Spruce Swamp area of Fremont. The data is soon to be made available in the form of shape files on NH Granit.
- The results of a recent survey of decision makers’ knowledge and perspectives regarding water resources. The results of this survey are attached. There were a wide range of responses from those who have little knowledge of the issues facing the protection NH’s water resources to those who have considerable knowledge of the subject. In general, respondents were supportive of spending money and increasing regulation to improve the protection of water resources in New Hampshire.

3. Watershed Report Card

- Mbr. deBeer provided each member of the Conservation commission with a copy of the directions for accessing this year’s “Watershed Report Cards” online. This information was given out at the Conference by DES. The link on the sheet is in error because of the recent redesign of the DES website. Here is the correct link:
<http://www2.des.nh.gov/SWQA/SWQAList.aspx>.
- Use the drop down box to select Fremont. A list of water quality reports by sub-watershed within Fremont will be displayed. Click on the .pdf icon on the left in each row (sub-watershed) of the table to access the .pdf report.

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The proceedings of the 2007 conference are posted on the DES web site and the 2008 proceeding may be posted there in the near future.

http://des.nh.gov/organization/divisions/water/wmb/rivers/watershed_conference/proceedings.htm

INCOMING CORRESPONDENCE

1. Notice of a November 19, 2008 “Stewardship of Conservation Easements” presentation at the Rye Public Library.

Mbr. O’Brien made the motion to adjourn at 8:48 pm.

Motion seconded by Mbr. Sturdivant with unanimous favorable vote.

Meredith Bolduc
Recording Secretary